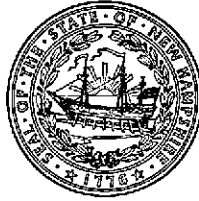


**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE  
ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II  
DEPUTY ATTORNEY GENERAL

April 27, 2007

John Safford, Esquire, Clerk  
Hillsborough County Superior Court  
300 Chestnut Street  
Manchester, New Hampshire 03101

Re: State v. Michael Addison, 07-S-0254

Dear Clerk Safford:

Enclosed please find the State's Application for Authorization Pursuant to Supreme Court Rule 52 to Disclose Contents of Grand Jury Transcripts to Hillsborough County Attorney's Office.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen E. Huntress".

Karen E. Huntress  
Assistant Attorney General  
Homicide Unit  
(603) 271-3671

cc: Richard Guerriero, Esq.  
Donna Brown, Esq.  
David Rothstein, Esq.  
Maureen O'Neil, Esq.

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS  
NORTHERN DISTRICT

APRIL TERM, 2007

Docket # 07-S-0254

State of New Hampshire

v.

Michael Addison

APPLICATION FOR AUTHORIZATION PURSUANT TO SUPREME COURT RULE 52 TO  
DISCLOSE CONTENTS OF GRAND JURY TRANSCRIPTS TO  
HILLSBOROUGH COUNTY ATTORNEY'S OFFICE

NOW COMES the State of New Hampshire, by and through the Office of the Attorney General, pursuant to Supreme Court Rule 52, and submits this application for authorization from the Court to disclose the contents of grand jury transcripts to the Hillsborough County Attorney's Office. In addition, the Office of the Attorney General hereby seeks permission for the Hillsborough County Attorney's Office to disclose those transcripts, as necessary, to defense counsel representing Antoine Bell Rogers, Theresia Shipley, and/or Angela Swist, and to use any of the transcripts during the trials of Michael Addison, Antoine Bell Rogers, Theresia Shipley, and/or Angela Swist, as necessary. In support of this application, the State submits the following:

1. The Office of the Attorney General is currently prosecuting Michael Addison for one count of capital murder. The Hillsborough County Attorney's Office is currently prosecuting Michael Addison, Antoine Bell Rogers, Theresia Shipley, and Angela Swist for a variety of other charges, relating to various incidents which occurred in the days before the murder.

2. In connection with the capital murder proceedings, the Hillsborough County Grand Jury heard testimony from various witnesses.

3. This Court has previously authorized the disclosure of the transcribed grand jury testimony to the defendant's attorneys. These same attorneys also represent Michael Addison on the charges being prosecuted by the Hillsborough County Attorney's Office.

4. Supreme Court Rule 52(1) provides that "without further authorization from the Court, the Attorney General shall not exhibit [any grand jury] transcript or disclose its contents to anyone except a member of his office. . ." Supreme Court Rule 52(2) also holds that "the Attorney General may petition the Court for authority to use at trial any transcript" of grand jury testimony in his possession.

5. The transcribed grand jury testimony relates not only to the capital murder proceedings, but also to the aforementioned prosecutions being pursued by the Hillsborough County Attorney's Office. Because of this, the Office of the Attorney General hereby moves pursuant to Supreme Court Rule 52(1) to disclose the grand jury transcripts of testimony transcribed during the grand jury proceedings in the capital murder case to the Hillsborough County Attorney's Office, so they will have access to the information contained in the transcripts for their prosecution, and so they will have access to the same materials that are available to the defendant Michael Addison's attorneys in those proceedings.

6. Additionally, the Office of the Attorney General hereby moves pursuant to Supreme Court Rule 52(1) for permission for the Hillsborough County Attorney's Office to disclose those transcripts, as necessary, to defense counsel representing Antoine Bell Rogers, Theresia Shipley, and/or Angela Swist. Disclosure of the transcripts to defense counsel representing Bell Rogers, Shipley and/or Swist may be necessary to meet those defendants' constitutional rights, and to comply with Superior Court Rule 98.

7. Finally, the Office of the Attorney General hereby moves pursuant to Supreme Court Rule 52(2) to use any of the aforementioned transcripts during the trials or other legal proceedings associated with the prosecution of Michael Addison, Antoine Bell Rogers, Theresia Shipley, and/or Angela Swist, as necessary. It also may be necessary to use the transcripts during the upcoming criminal trials to impeach witnesses, refresh the witnesses' recollection, or for other purposes.

8. The defendant does not object to the disclosure of the transcripts to the Hillsborough County Attorney's Office, but reserves the right to object to the grand jury process and reserves the right to object to the use of the transcripts in upcoming legal proceedings. The defendant also requests that should this Court grant the State's motion to disclose the grand jury transcripts to defense attorneys involved in the aforementioned prosecutions, that such attorneys be reminded that pursuant to Supreme Court Rule 52, such attorneys are barred from disclosing the contents of those grand jury transcripts to anyone without further permission from the Court. Should other defense attorneys seek permission to use or disclose the contents of the grand jury transcripts, counsel for Michael Addison would also like an opportunity to be heard on such requests.

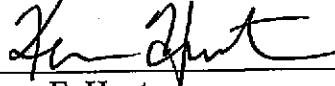
WHEREFORE, the State of New Hampshire respectfully requests, pursuant to Supreme Court Rule 52, that this Honorable Court:

- A. Grant the State's Application for permission to disclose to the Hillsborough County Attorney's Office the grand jury transcripts of testimony transcribed during grand jury proceedings in this matter; and
- B. Grant the State's Application for permission for the Hillsborough County Attorney's Office to disclose as necessary any of the grand jury transcripts to defense counsel for Antoine Bell Rogers, Theresia Shipley, and/or Angela Swist; and
- C. Grant the State's Application for permission for the Hillsborough County Attorney's Office to use any of the grand jury transcripts during the trials or other legal proceedings associated with the prosecution of Michael Addison, Antoine Bell Rogers, Theresia Shipley, and/or Angela Swist; and
- D. Grant such further relief as may be just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

Kelly A. Ayotte  
Attorney General



Karen E. Huntress  
Assistant Attorney General  
Homicide Unit  
Office of the Atttorney General  
33 Capitol St.  
Concord, NH 03301  
(603) 271-3671

Dated: April 27, 2007

**CERTIFICATE OF SERVICE**

I certify that a copy of this pleading has been mailed to Richard Guerriero, Esq.,  
David Rothstein, Esq., and Donna Brown, Esq., counsel of record for the defendant.



Karen E. Huntress